

MINUTES
ZONING BOARD OF APPEALS
Minutes – October 3, 2018

A regularly scheduled meeting of the Zoning Board of Appeals was held at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall on Wednesday, October 3, 2018.

Members Present: Steve Elbaum – Chairman, Rob Saunders – Vice Chairman, Dennis Miko – Secretary, Matthew Reale, and alternates Joseph Rescsanski and Catherine L. Creager.

(Catherine L. Creager served as alternate)

Members Absent: Richard Mayo – Brian Reilly

Also Present: Rob Librandi – Land Use Planner

The following is a brief summary of the meeting; a complete record is on tape, on file, in the office of the Zoning Board of Appeals located in the Trumbull Town Hall.

A quorum being present, the Chairman called the meeting to order at 7:35 p.m.

Pledge of Allegiance

Approval of Minutes - MOTION MADE (Rescsanski), seconded (Saunders) and unanimously carried to APPROVE the September 5, 2018 minutes.

PUBLIC HEARING

Application #18-33 – 40 Endeavor Street
Vincent R. Convertito

Variance of Art. II, Minimum Lot, House Sizes. Lot Split. Lot 1, .29 acre where .50 is required, and Lot 2, .26 acre where .50 is required. Lot 1, Variance of Art. 1, Sec. 4.3.1, and Art. III, Sec. 1, dwelling 15'1" from proposed side yard setback where 20' is required. Lot 2. Variance of Art. II, Sec. 4.3.1 and Art. III, Sec. 1, proposed dwelling (corner lot) front yard setback of 29' where 50' is required, front yard setback of 31' where 50' is required, and rear yard setback of 30'5" where 50' is required.

WITHDRAWN

18-38 – 15 Powder Mill Lane
Christopher Paquette for owners Christopher & Anastasia Tobias

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. I, to add 6' to an existing deck with a new deck size of (7' x 34') including steps, 30' from rear lot line at its closest point.

Mr. Paquette (345 Nichols Ave., Shelton) representing the applicant, stated the owner wants to extend the deck by 6' since it is too narrow. Hardship - lot design and need more space to accommodate their growing large family.

Chairman Elbaum confirmed the applicant is considering adding a buffer of arborvitae after the deck is completed on the northwestern border. It will span from Huntington Turnpike past the deck.

Public Comment: Sue Cervero (465 Shelton Road, Trumbull) whose property borders the applicants, stated she wasn't aware there were going to install arborvitae for screening. She reported they cleared out trees and brush on her property that served as a wooded buffer as well as planted grass and installed boulders that are also on her property. Also a leader pipe was uncovered during excavation that is dumping water. She approves of the screening since the deck is 30' from her property line.

Mr. Paquette confirmed with Chairman Elbaum that he would comply with the Commissions conditions for screening and informed a berm was installed on the property line since the applicant's property is lower than the neighbors.

**18-39 – 36 Turner Avenue
Stephen Fulco**

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. I, to replace an existing patio with a 16' x 16' deck, 33.7' from rear lot line and 28.7' from the N/S lot line.

Mr. Fulco (143 Summerfield Gardens, Shelton, CT) father of the applicant, stated this son bought the home with a 10' x 10' deck that he wants to extend to accommodate his growing family. He is requesting an extension of 6 feet.

No Public Comment

**18-40 – 114 Wedgewood Road
Pastir Brothers Construction, L.L.C. for owners Alexander & Marina Yelner**

Variance of Art. I, Sec. 4.3.1, and Art. III, Sec. I, to construct a 24' x 38.3' two story addition 37.2' from the rear lot line where 50' is required and 35.3' from the front lot line, where 50' is required.

Attorney Curseaden (Carroll, Curseaden & Moore – 3 Lafayette St., Milford) representing the owner, stated they are here to request an addition in order to bring the property in compliance with accessory apartment regulations. The apartment is over the square footage. He stated the hardship is that there are two front yards and the lot is oddly shaped. There would be a 70:30 percentage vs. the 60:40 percentage split in order to meet the regulations. The main home would become the accessory apartment and the accessory apartment would become the main home. Marina Yelner, owner, stated she wants her mother to remain in the home and needs to stay on one level. She added neighbors were here this evening and have no objections. Matthew Pastir (Pastir Brothers Construction, L.L.C.) explained the building plans to the Commission.

Commissioner Miko confirmed that with the addition the overall square footage was approximately 4750 sq. ft. (proposed addition 1838 sq. ft.) on 6/10 acre lot. The applicant confirmed with Mr. Librandi that there will only be one front door, currently there are two and that the house design is going to be modified to look like a single family home.

No Public Comment

18-41 – 9 Shelbourne Road

Ubaldo Baleeiro for owners Mona & Jay Gulati

Variance of Art. I, Sec. 4.3.1, and Art. III, Sec. I, to construct a 24' x 14' one car garage 13.8' from E/S lot line, and a second floor addition 46' from the front lot line at its closest point with a landing 34.2' from the front lot line at its closest point.

Mr. Baleeiro, representing the owners, stated when the owners purchased the home it had two apartments. They want to bring the home up to code and convert it to single family with a one car garage. He will remain within the same footprint and remove the side entrance.

Public Comment: Neighbor Catherine Cavaliere (14 Shelbourne Road, Trumbull) stated she approves of the addition and Mr. Baleeiro reviewed the plans with her. She requests the owner keep the tree in the front yard.

WORK SESSION

Tonight's applications were reviewed and the Commission took action, as follows:

WITHDRAWN - Application #18-33 – 40 Endeavor Street - Vincent R. Convertito

MOTION MADE (Saunders), seconded (Creager) and carried to approve Application #18-38 – 15 Powder Mill Lane - Christopher Paquette for owners Christopher & Anastasia Tobias

MOTION MADE (Miko) and seconded (Creager) to AMEND original motion with the following conditions:

1. Screening must be 10 feet off of the town right of way on Shelton Road as to not obstruct any site line issues.
2. Screening must be at a sufficient height no less than 6' along the straight northwestern border.
3. Remove the boulders on the neighbor's property.
4. Applicant must apply to the Inland Wetlands & Watercourse Commission for permit approval.

VOTE: Original Motion as amended – motion carries. (APPROVED WITH CONDITIONS)

MOTION MADE (Reale), seconded (Saunders) and unanimously carried to APPROVE WITH CONDITIONS Application #18-39 – Stephen Fulco - 36 Turner Avenue

1. The Engineering Department requires that crushed stone be placed under the deck.

MOTION MADE (Reale), seconded (Creager) to APPROVE WITH CONDITIONS (4-0 – Miko Abstained) **Application #18-40 -114 Wedgewood Road - Pastir Brothers Construction, L.L.C. for owners Alexander & Marina Yelner**

Chairman Elbaum stated it is a large house but it is not encroaching any more into the rear lot line. The neighbor is not in opposition and the applicant does have a hardship with no designated front yard.

1. Prior to Engineering approval, applicant must show compliance with the Administrative Policy for Stormwater Management and Drainage Standards.

MOTION MADE (Miko), seconded (Creager) and unanimously carried to APPROVE **Application #18-41 – 9 Shelbourne Road - Ubaldo Baleeiro for owners Mona & Jay Gulati**

Chairman Elbaum asked for a motion to adjourn, motion made by (Miko) and seconded (Reale). The October 3, 2018 meeting of the Zoning Board of Appeals adjourned at 8:35 p.m. with unanimous consent.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Wednesday November 7, 2018 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

By: _____

Gail Andreyka, Clerk

cc: R. Bakalar, R. Librandi, D. Wenz

